

REMARKS

Claims 1, 3, 5, 6, 8, 10, 15, 16, 18, 19, 20, 22-26, 28, 30-34, 36, 38, 45-50, 52-54 and 56-85 are pending in this case.

Claims 1, 3, 5, 20 and 57 are amended herein.

Now Claims 76-85 have been added. No new matter has been added.

Claims 2, 4, 7, 9, 11-14, 17, 21, 27, 29, 35, 37, 39-44, 51, and 55 have previously been canceled in this case.

Double Patenting

The Examiner has provisionally rejected Claims 1, 3, 5, 6, 8, 10, 15, 16, 18-20, 23-26, 26, 30-34, 36, 38, 45, 46, 48-50 and 56-61 as unpatentable on the ground nonstatutory obviousness-type double patenting as being unpatentable over claims 44-53 of copending U.S. Patent Application No. 08/483,938. Applicant will consider the filing of a terminal disclaimer or provide arguments in rebuttal to this double patenting rejection upon patenting of the subject claims in the '938 application.

Specification

The Examiner has objected to the specification, alleging that Claim 20 recites "a terminal portion" in line 17, but there is no antecedent basis for this term in the specification. Applicant respectfully submits that this objection is obviated in view of the amendment to Claim 20.

Section 112, second paragraph, Rejections

The Examiner has rejected Claims 3, 5, 20, 23-26, 28, 30-34, 36, 38 and 57-74 under 35 U.S.C. §112, second paragraph, as being indefinite. In view of the amendments to these claims, Applicant respectfully submits that these rejections have been overcome.

Section 102 Rejections

The Examiner has rejected claims 1, 3, 5, 6, 8, 10, 18-20, 22-26, 28, 30-32, 34, 36, 38, 45, 46, 48-50, 56-58, 60, 63, 65, 67, 72 and 73

under 35 U.S.C. §102 as anticipated by U.S. Patent No. 4,916,716 ("Fenner"). These rejections are respectfully traversed.

Applicant notes that, as does the Examiner, Fenner does not disclose each and every limitation of the pending claims, as is required of a proper reference under Section 102. The Examiner states that the noted limitation at the end of Claim 1 would have been "obvious". However, this cannot be the basis for a rejection under Section 102. Even if, *arguendo*, Fenner discloses the structural elements of Applicant's claimed invention, the characteristic language noted by the Examiner cannot be ignored, as it necessarily further defines the structural elements of Applicant's invention (rather than servers merely as a recitation of the properties of those elements). The Examiner is apparently arguing that these properties are inherent, but in fact they are important aspects of Applicant's invention, and are neither taught nor disclosed by Fenner. As such, Fenner is not a proper reference under Section 102 against Applicant's claimed invention.


Accordingly, withdrawal of the rejections under Section 102 is appropriate and is respectfully requested.

#### Conclusion

Applicant respectfully submits that the claims are in condition for allowance, and an early notice to that effect is respectfully requested.

Please direct any questions concerning this Response to Applicant's undersigned representative, who can be reached directly at (610) 869-6302.

Respectfully submitted,



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Under Rule 34

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